

**IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF MASSACHUSETTS**

PETER J. MILLER, an individual,  
CLIFFORD HOYT, an individual, and  
CAMBRIDGE RESEARCH AND  
INSTRUMENTATION, INC.,  
a Delaware corporation,

Plaintiffs,

v.

PATRICK TREADO, an individual, and  
CHEMIMAGE CORP., a Delaware  
corporation,

Defendants.

**Civil Action No. 05-10367-RWZ**

**[ASSENTED-TO] COMBINED MOTION  
AND MEMORANDUM IN SUPPORT THEREOF  
TO IMPOUND PURSUANT TO LOCAL RULE 7.2  
PLAINTIFFS' MEMORANDUM IN SUPPORT OF  
PLAINTIFFS' MOTION TO CONSOLIDATE UNDER FED.R.CIV.P. 42(A)**

Plaintiffs Cambridge Research and Instrumentation, Inc. ("CRI"), Peter J. Miller, and Clifford Hoyt, by their attorneys COHEN, PONTANI, LIEBERMAN & PAVANE, hereby move the Court under LR 7.2 to impound the unredacted copy of plaintiffs' memorandum in support of plaintiffs' motion to consolidate under Fed.R.Civ.P. 42(a) plaintiffs' recently filed action with the present litigation ("plaintiffs' memo"), a redacted copy of which was filed via ECF with the Court at [D.E. 78].

Because defendants have agreed to the relief requested herein, the granting of the requested relief is within the Court's discretion, and a memorandum under LR 7.1(b)(1) is not required.

In support, plaintiffs state as follows:

1. Plaintiffs have filed via ECF [D.E. 78] a redacted version of plaintiffs' memo
2. The portions which have been redacted from the plaintiffs' memo describe and/or characterize subject matter for which defendants had previously sought, and obtained from plaintiffs, a contractual stipulation not to disclose publicly. See, e.g., ¶2 on p. CRI004143, Ex. X to Amd. Compl. (Ex. 1 to [D.E. 41]).
3. Thus, plaintiffs request, with defendants' assent, that the Court order the impoundment of the complete unredacted copy of plaintiffs' memo pursuant to LR 7.2, which impoundment shall last until further order of the Court.
4. Pursuant to LR 7.1(a)(2), defendants have indicated their assent.
5. Pursuant to LR 7.2(a), plaintiffs suggest the unredacted document be returned to plaintiffs' custody after the period of impoundment.
6. Pursuant to instructions from the Clerk of the Court, the complete *unredacted* copy of plaintiffs' memo will be filed with the Court upon entry of the instant motion to impound.

**WHEREFORE**, plaintiffs respectfully request, with defendants' assent, that the Court:

- A. Issue an order impounding:
  - the unredacted copy of plaintiffs' memorandum in support of plaintiffs' motion to consolidate under Fed.R.Civ.P. 42(a) plaintiffs' recently filed action with the present litigation (redacted version filed at [D.E.78]).
- B. Grant such further and other relief as this Court deems just, equitable and proper.

[Assented-To] Motion/Memo to Impound under LR 7.2  
Unredacted copy of Plaintiffs' Memorandum in Support of  
Plaintiffs' Motion to Consolidate

Respectfully submitted,

**PETER J. MILLER, CLIFFORD HOYT,  
and CAMBRIDGE RESEARCH AND  
INSTRUMENTATION, INC.,**

By their attorneys:

Dated: September 15, 2006

/s/ Teodor Holmberg  
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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Motion to Impound Pursuant to LR 7.2 filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on September 15, 2006.

/s/ Teodor Holmberg  
Teodor J. Holmberg (BBO# 634708)